

110TH CONGRESS
2D SESSION

H. R. 6367

To provide an exception to certain mandatory minimum sentence requirements for a law enforcement officer who uses, carries, or possesses a firearm during and in relation to a crime of violence committed while pursuing or apprehending a suspect.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2008

Mr. BRADY of Texas (for himself, Mr. McCAUL of Texas, Mr. MARCHANT, Mr. SAM JOHNSON of Texas, Mr. BILBRAY, Mr. SULLIVAN, Mr. SHAD-EGG, Mr. ROHRABACHER, Mr. JONES of North Carolina, Mr. POE, and Mr. CULBERSON) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide an exception to certain mandatory minimum sentence requirements for a law enforcement officer who uses, carries, or possesses a firearm during and in relation to a crime of violence committed while pursuing or apprehending a suspect.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXCEPTION TO CERTAIN MANDATORY MIN-**
2 **IMUM SENTENCING REQUIREMENTS FOR A**
3 **LAW ENFORCEMENT OFFICER WHO USES,**
4 **CARRIES, OR POSSESSES A FIREARM DURING**
5 **AND IN RELATION TO A CRIME OF VIOLENCE**
6 **COMMITTED WHILE PURSUING OR APPRE-**
7 **HENDING A SUSPECT.**

8 Section 924(c)(1) of title 18, United States Code, is
9 amended by redesignating subparagraphs (B) through (D)
10 as subparagraphs (C) through (E), respectively, and in-
11 serting after subparagraph (A) the following:

12 “(B) The minimum sentencing requirements of sub-
13 paragraph (A) shall not apply if—

14 “(i) at the time the person used, carried, or
15 possessed the firearm, the person was a law enforce-
16 ment officer authorized to carry the firearm;

17 “(ii) the offense under this paragraph occurred
18 while the person was on-duty, and during or in rela-
19 tion to the pursuit or apprehension of an individual
20 who the person reasonably believed had committed a
21 crime; and

22 “(iii) the crime committed by the person during
23 and in relation to which the offense under this para-
24 graph occurred is a crime of violence.”.

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